



2153
#3
BT

UNITED STATES PATENT AND TRADEMARK OFFICE

02-4-03

Inventor(s): N. Lee Rhodes

Confirmation No.: 3660

Application No.: 09/919527

Examiner: Unknown

Filing Date: Jul 31, 2001

Group Art Unit: Unk.

Title: Network Usage Analysis System And Method For Updating Statistical Models

RECEIVED

FEB 28 2003

Technology Center 2100

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

- () under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)
- (X) under 37 CFR 1.97 (c) together with either a:
(X) Statement under 37 CFR 1.97(e), or
() a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)
- () under 37 CFR 1.97 (d) together with a:
() Statement under 37 CFR 1.97(e)(1), or (2), and
() a \$180.00 fee set forth in 37 CFR 1.17(p).
(Filed after final action, a notice of allowance, on or before before payment of the issue fee)

Please charge to Deposit Account **08-2025** the sum of \$0.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **08-2025** pursuant to 37 CFR 1.25.

(X) Applicant(s) submit herewith Form PTO 1449 - Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

(X) A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individuals(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

- (X) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231. Date of Deposit: 2-20-2003

OR

- () I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number _____ on _____ Number of pages: _____

Typed Name: Laura M. Clark

Signature: Laura M. Clark

Respectfully submitted,

N. Lee Rhodes

By William J. Streeter

William J. Streeter

Attorney/Agent for Applicant(s)

Reg. No. 24,447

Date: February 29, 2003

Telephone No.: (970) 898-3886



IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): N. Lee Rhodes

Confirmation No.: 3660

Application No.: 09/919527

Examiner: Unknown

Filing Date: Jul 31, 2001

Group Art Unit: Unk.

Title: Network Usage Analysis System And Method For Updating Statistical Models

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

RECEIVED

FEB 28 2003

STATEMENT UNDER 37 CFR 1.97(e)

Sir:

Technology Center 2100

The undersigned hereby certifies that either:

- (X) Each item of information contained in the Information Disclosure Statement was cited for the first time in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or
- () No item of information contained in the Information Disclosure Statement
- was cited in a communication from a foreign patent office in a counterpart foreign application, and
 - to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

N. Lee Rhodes

By


William J. Streeter

Attorney/Agent for Applicant(s)

Reg. No. 24,447

Date: February 20, 2003

Telephone No.: (970) 898-3886



PATENT APPLICATION

Sheet 1 of 3

PTO-1449

LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.

10013111-1

APPLICATION NO.

09/919,527

CONFIRMATION NO.

3660

APPLICANT

N. Lee Rhodes

FILING DATE

7/31/2001

GROUP

Unk.

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION DATE	NAME	Pages, Columns, Lines Where Relevant Passages or Figures Appear
	1A				
	1B				
	1C				
	1D				
	1E				
	1F				
	1G				
	1H				
	1I				
	1J				
	1K				

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT	Pages/Columns/Lines Where Relevant Passages/Figures Appear	Check if Translation attached
	1L					
	1M					
	1N					
	1O					
	1P					

RECEIVED

FEB 28 2003

Technology Center 2100

OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)

1Q	AMER P D ET AL: "Management Of Sampled Real-TimeNetwork Measurements" Proceedings Of The Conference Call On Local Computer Networks, XX, XX, 1989, pages 62-68, XP000618680 * page 62, right-hand column, line 1 - * page 64, right-hand column, last paragraph - page 65, left-hand column, paragraph 3 * "5 Windows n Network Behavior" * page 66, right-hand column
1R	Hewlett-Packard: "hp dynamic netvalue analyzer 1.0 - an hp netaction product" HP - INVENT, 'Online! May 2001 (2001-05), XP002219757 Retrieved from the Internet: <URL:http://www.hp.com.au.malaysia/voip/08.pdf> 'retrieved on 2002-10-31! * page 2, left-hand column, paragraph 1 *
1S	Stefan Stapelberg, et al: "http-analyze (8L)" INTERNET CITATION, 2 March 1998 (1998-03-02), XP002213786 Description * page 1 * Regular Invocation via cron * page 17 *

EXAMINER

DATE CONSIDERED



PATENT APPLICATION

Sheet 2 of 3

FORM PTO-1449

LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.

10013111-1

APPLICATION NO.

09/919,527

CONFIRMATION NO.

3660

APPLICANT

N. Lee Rhod s

FILING DATE

7/31/2001

GROUP

Unk.

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION DATE	NAME	Pages, Columns, Lines Where Relevant Passages or Figures Appear
	1A				
	1B				
	1C				
	1D				
	1E				
	1F				
	1G				
	1H				
	1I				
	1J				
	1K				

RECEIVED

FEB 28 2003

Technology Center 2100

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT	Pages/Columns/Lines Where Relevant Passages/Figures Appear	Check if Translation attached
	1L					
	1M					
	1N					
	1O					
	1P					

OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)

1Q	Greenhalgh, C. et al.: "Predicting network traffic for collaborative virtual environments" COMPUTER NETWORKS AND ISDN SYSTEMS, NORTH HOLLAND PUBLISHING. AMSTERDAM, NL, vol. 30, no. 16-18, 30 September 1998 (1998-09-30), pages 1677-1685, XP004138700 ISSN: 0169-7552 *page 1678, left-hand column, paragraph 3 - right-hand column, paragraph 1 * *page 1679, right-hand column, paragraph 4.* *page 1682, right-hand column, paragraph 4.3.*
1R	Mogul J. C.: "EFFICIENT USE OF WORKSTATIONS FOR PASSIVE MONITORING OF LOCAL AREA NETWORKS" COMPUTER COMMUNICATIONS REVIEW, ASSOCIATION FOR COMPUTING MACHINERY. NEW YORK, US, vol. 20, no. 4, 1 September 1990 (1990-09-01), pages 253-263, XP000168059 ISSN: 0146-4833 *page 257, right-hand column, line 1 - page 258, right-hand column, line 4 *
1S	ANONYMOUS: "COMMUNICATIONS STATISTICAL NETWORK ANALYSIS PROGRAM" IBM TECHNICAL DISCLOSURE BULLETIN, IBM CORP. NEW YORK, US, vol. 23, no. 9, 1 February 1981 (1981-02-01), pages 4282-4288, XP002012076 ISSN: 0018-8689 * the whole document*

EXAMINER

DATE CONSIDERED



PATENT APPLICATION

Sheet 3 of 3

EQ. PTO-1449

LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.

10013111-1

APPLICATION NO.

09/919,527

CONFIRMATION NO.

3660

APPLICANT

N. Lee Rhodes

FILING DATE

7/31/2001

GROUP

Unk.

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION DATE	NAME	Pages, Columns, Lines Where Relevant Passages or Figures Appear
	1A				
	1B				
	1C				
	1D				
	1E				
	1F				
	1G				
	1H				
	1I				
	1J				
	1K				

RECEIVED

FEB 28 2003

Technology Center 2100

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT	Pages/Columns/Lines Where Relevant Passages/Figures Appear	Check if Translation attached
	1L					
	1M					
	1N					
	1O					
	1P					

OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)

	1Q	HEWLETT-PACKARD: "hp internet usage manager 3.1 - an hp netaction product" HP-INVENT, 'Online! May 2001 (2001-05), pages 1-4, XP002219758 Retrieved from the Internet: <URL:http://www.hp.com/communications/usage/infolibrary/prodinfo/ium_product_brief_3.1pdf> 'retrieved on 2002-10-29! *the whole document*
	1R	
	1S	

EXAMINER

DATE CONSIDERED